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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,762	09/12/2003	Friedrich Schwamm	038741.52724US	5781

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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON, DC 20044-4300

EXAMINER

NGUYEN, HANH N

ART UNIT PAPER NUMBER

2834

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/660,762	Applicant(s) SCHWAMM, FRIEDRICH	
	Examiner Nguyen N Hanh	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In view of amendments, the Examiner withdraws the objection to the drawings and the rejection under 35 U.S.C 112, second paragraph to claims 11-16.

Response to Arguments

2. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 6-9 and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Web.

Regarding claim 6, Web discloses an electric drive arrangement comprising: a stator (A1 and A2 in Fig. 1), said stator including U-shaped stator blades (E11 and E12) forming a cylindrical ring (Fig. 4 shows the simplest motor construction of the above structure); and a rotor (S2), said rotor including permanent magnets (w1 and w2) arranged at pole ends of said stator blades; wherein said permanent magnets form two cylindrical rotor elements (Fig. 4), and wherein said stator blades form two cylindrical stator rings, each of said two cylindrical stator rings being arranged at opposite sides of

said rotor such that said rotor is laterally surrounded by said two cylindrical stator rings (Fig. 2 and Fig. 4).

Regarding claim 7, Web also discloses an electric drive arrangement wherein said two cylindrical rotor elements extend in a region of said pole ends of said stator blades, and wherein each of said two cylindrical rotor elements has two rings of polarity-alternating magnets (W1' and W1'').

Regarding claim 8, Web also discloses an electric drive arrangement wherein, within each of said two cylindrical rotor elements, adjacent permanent magnets of one of said two rings have different polarity from one another and adjacent permanent magnets of a first and a second of said two rings have different polarity from one another (Fig. 1).

Regarding claim 9, Web also discloses an electric drive arrangement wherein permanent magnets from said first of said two cylindrical rotor elements have different polarity from opposed permanent magnets in said second of said two cylindrical rotor elements (Fig. 1).

Regarding claim 11, Web also shows the electric drive arrangement wherein a first of said two cylindrical rotor elements (La in Fig. 4) includes a first ring of polarity-alternating magnets and a second ring of polarity-alternating magnets (Col. 5, lines 5-8) and wherein a second of said two cylindrical rotor elements (Lb) includes a third ring of polarity-alternating magnets and a fourthth ring of polarity-alternating magnets (because each additional ring has two separate rings with opposite polarity).

Regarding claim 12, Web also shows the electric drive arrangement wherein adjacent magnets in said first ring have different polarity from one another, adjacent magnets in said second ring have different polarity from one another, adjacent magnets in said third ring have different polarity from one another, and adjacent magnets in said fourth ring have different polarity from one another (Fig. 1).

Regarding claim 13, Web also shows the electric drive wherein adjacent magnets in said first and said second rings have different polarity from one another and adjacent magnets in said third and fourth rings have different polarity from one another (Figs. 1 and 4).

Regarding claim 14, the structure disclosed by Web also shows the electric drive element wherein opposing magnets in said first of two said cylindrical rotor elements and said second of two cylindrical rotor elements have different polarity from one another (Figs. 1 and 4).

Regarding claim 15, Web also shows the electric drive element wherein opposing magnets in said first ring and said third ring have different polarity from one another and opposing magnets in said second ring and said fourth ring have different polarity from one another (Figs. 1 and 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Web in view of Horng.

Regarding claims 10 and 16, Web shows all limitations of the claimed invention except showing the electric drive arrangement wherein additional permanent magnets are arranged about said stator blades and about said permanent magnets of said rotor for magnetic centering of said rotor.

However, Hong discloses an electric motor wherein additional permanent magnets are arranged about the stator and about the shaft of the rotor for magnetic centering of said rotor (Fig. 5) for the purpose of preventing frictional contact when the motor is in operating condition.

Since Web and Hong are in the same field of endeavor, the purpose disclosed by Hong would have been recognized in the pertinent art of Web.

It would have been obvious at the time the invention was made to a person having an ordinary skill in the art to modify Web by arranging additional permanent magnets about the stator blades and about said permanent magnets of the rotor for magnetic centering of said rotor as taught by Hong for the purpose of preventing frictional contact when the motor is in operating condition.

Response to Arguments

5. Applicant's arguments filed on 8/24/2004 have been fully considered but they are not persuasive. The applicant's argument is on the ground that the limitation "the rotor is laterally surrounded by said two cylindrical stator ring" is not taught by Web. The Examiner respectfully disagrees with the Applicant. Webster's defines lateral as "of or

relating to the side". Fig. 4 of Web clearly shows the rotors La and Lb are surrounded by the stator rings E1a and E1b on inner and outer circumferential side. The features that the Applicant relies on "the rotor of the present invention is disc-shaped, and the stator rings are located on either side of this disc-shaped rotor" was not recited in the rejected claim.

In short, the claims are given their broadest reasonable interpretation and they still do not clearly and distinctly claim the subject matter of the invention. Therefore, the rejection is still deemed proper

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Information on How to Contact USPTO

Art Unit: 2834

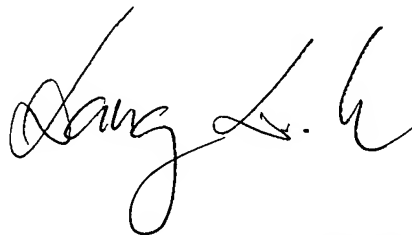
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh N Nguyen whose telephone number is (571) 272-2031. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberger, can be reached on (571) 272-2044. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HNN

October 18, 2004

A handwritten signature in black ink, appearing to read 'Dang L. h', with a stylized, cursive script.

**DANG LE
PRIMARY EXAMINER**